

## **U.S. FISH AND WILDLIFE SERVICE CONTINGENCY PLAN FOR OPERATIONS IN THE EVENT OF A LAPSE IN APPROPRIATIONS**

The Service has identified the following services and personnel necessary to continue essential activities in the event there is a lapse in appropriations.

- FWS will retain the following employees in the event of a lapse of appropriations:
  - Engaged in law enforcement, military or direct provision of health care;
  - Funded through non-lapsing appropriations (carry-over, multi-year, permanent, etc.);
  - Needed to protect life and property and who are not otherwise exempt (because they fall into the previous two categories).

### **Fisheries and Habitat Conservation**

Each hatchery will have at least one person on site, with up to two persons on call to protect the physical facility and maintain the fish at the hatchery. During a short-term shut down, fish will be maintained on site. Another determination will need to be made in the event of a longer-term shut down. Fish Health Centers and Fish Tech Centers will also have at least one and not more than three persons to protect the physical facility and maintain live animals and cell cultures. The Aquatic Animal Drug Approval Program in Bozeman, Montana, also will have at least one and not more than three persons to maintain live animals and cell cultures.

### **National Wildlife Refuge System**

The FWS will not retain staff at every refuge but will have a manager at every station with on-site staff, including major refuge complexes. That is 300 excepted staff to protect life and safeguard Government property and records. They are needed for life and asset protection. For example, there are areas where the refuge is bisecting a highway and accidents on the highway require access through the refuge by law enforcement and emergency response personnel. Refuge visitor centers and other public facilities will be closed to public access, however, refuge staff are needed to patrol and ensure no damage to Government property and to ensure the protection of vehicles, heavy equipment, and other assets. Additional personnel will be on call to respond in the case of a large-scale incident, for emergency response and/or to protect property.

#### **Refuge Law Enforcement Staff**

In the event of a shutdown, the following positions within the Refuge Law Enforcement program will be excepted for basic protection of human life and Service property. The positions recommended will not provide for regular levels of patrols or other enforcement activities, rather they will provide basic levels of protection for Service owned lands and facilities along with emergency services.

- Refuge Law Enforcement Officers. In places where these positions exist, they have primary responsibility for providing basic protection for the Service managed facilities and lands.
- Regional Law Enforcement Zone Officers that are assigned as the primary/sole resource to provide protection and security to Service managed facilities and lands. In many cases, Zone Officers are the primary, sometimes only, protection for Service managed facilities and lands. In those cases, Zone Officers are excepted
- Dual-function Refuge Law Enforcement Officers who serve as the primary/sole Law Enforcement Officers assigned to Service managed facilities and lands.
- Regional Refuge Law Enforcement Chiefs (DRLE) are excepted to ensure the protection of life, property, and equipment by ensuring adequate coverage; calling in officers as needed; and responding to emergency situations.
- A minimum staff of Division of Refuge Law Enforcement, Washington Office, personnel must be designated as excepted for Serious Incident Reporting, supervision and communications.

### Fire Management Staff

Designated fire management staff are excepted for the purpose of protecting of life and property and to provide emergency services. The need for fire management staff varies across the Nation according to weather and season. Positions will be excepted for basic protection of life and property; however, these positions are not sufficient for regular fire management activities such as prescribed burning. Therefore, fire management activities will be limited to preparedness and wildfire suppression on Service lands.

Units within their fire season will retain essential fire staff sufficient for minimal Initial Attack capability on site (per staffing plans and preparedness levels). Excepted staff must be approved by the Project Leader and Regional Fire Management Coordinator (RFMC), and each unit must establish procedures for calling in additional capability as needed for larger scale fire suppression activities. Units will not implement any prescribed fires until after furlough ends.

- Regions and Units will retain excepted staff in established interagency Dispatch and/or Coordination Centers if these areas are experiencing wildfires.
- Regions will retain the RFMC, or acting, as excepted staff to coordinate suppression activities, and they will establish procedures for calling in additional capability as needed for fire suppression.
- The Service will retain the Chief of the Fire Management Branch, or acting, as excepted staff to coordinate suppression activities, and they will establish procedures for calling in additional capability as needed.

### Endangered Species

Each captive breeding facility will have at least one person on site and not more than three

people on call to protect the physical facility and maintain the live animals at the facility.

### **External Affairs**

The Assistant Director for External Affairs is excepted to respond to Congressional inquiries and ensure communications within the Service. The Assistant Director may designate one additional employee on call to carry out these responsibilities.

### **NCTC**

The NCTC will shut down operations, send the students, staff, and contractors home, and cancel all scheduled classes. As part of shutdown, NCTC will notify all students who are to arrive within 2 to 4 weeks after furlough is implemented. For maintenance of operations for the security and safety of the facility, NCTC will not need more than four staff.

### **Law Enforcement**

Law enforcement field special agents and wildlife inspectors will continue to function, as necessary for life and to safeguard government property. However, only those administrative personnel needed to maintain these essential field functions will remain on duty.

### **Assistant Director – Budget, Planning and Human Capital**

The Assistant Director – BPHC will oversee the coordination of activities with the Department, the Office of Management and Budget, the Department of the Treasury, and Congress. The Assistant Director – BPHC will act as the SES for HR, and will have the Human Capital Officer, Human Resource Officer (who is also a multi-disciplinary HR professional). An OWCP coordinator and an HR Specialist will be on call to answer bureau specific employee questions, develop organizational response, and handle ER and LR issues.

### **Division of Budget**

The Division of Budget will need at least three key personnel to interact and communicate with the Department, the Office of Management and Budget, Treasury, and Congress. Policy and special analytical computations may be required to inform the Department, OMB, and others about essential activities in the absence of appropriations and to monitor the status of appropriations and keep the organization apprised.

### **Assistant Director – Business, Management, and Operations**

The Assistant Director - BMO is excepted to coordinate the activities of the Divisions of Financial Management and Contracting and Facilities Management to direct the orderly shutdown of operations.

### **Division of Financial Management**

The Division of Financial Management will have up to three employees on call to assure the FFS system is kept operational and answer questions regarding vendor payments.

The Service is decentralized and payments on invoices are made at the local level, therefore we will not be processing payments during a shutdown. If interest accumulates under the Prompt Payment Act, funds will need to be redirected to that purpose once operations recommence. Finance staff will also be available to oversee emergency transactions that are needed related to essential activities.

#### Contracting and Facilities Management

To provide liaison between the Division of Engineering, contractors and the Division of Financial Management, three contracting officers in each Region and the Washington Office, will remain on duty. The contracting officers will be responsible for support of essential contracting actions and closing down hundreds of service and construction contracts and negotiating demobilization cost. Contracting and Facilities Management mail room operations will be suspended, but commercial carriers will continue to deliver packages. For Regional Offices that lease an entire building, one facilities manager will need to remain on duty. For headquarters/ Washington (Region 9), one systems administrator will need to remain on duty to keep IDEAS operational. The Region 9 Quarters Manager will remain on duty; this position is funded by permanent appropriations.

#### Payroll Operations

Because there will be no payroll processed during the furlough, only one employee in the Denver Finance Office will be on call for emergency situations related to QuickTime and/or payroll.

#### Division of Engineering

The Division of Engineering is funded with no-year funds and will continue to operate as long as balances are available to oversee contracts and respond to the needs of ongoing operations.

#### **Assistant Director - Information Resources and Technology**

To maintain required telecommunications (voice systems, email and networking) capabilities and internet access, maintain network servers as operational, and provide technical support to other staffed offices, two employees will remain on duty in Arlington, Virginia. Additionally, the Service's IT Security Manager will remain on call to respond to problems related to IT security.

#### Information Resources Management/National Communications Center (Denver)

To maintain required telecommunications capabilities (voice systems, email, and networking) nationally, maintain internet access and national network servers, and to provide support to the Regional and Field offices which remain staffed, two employees will remain on duty in the

National Communications Center.

### **Directorate**

The following members of the Directorate are deemed excepted to oversee essential activities in the Service:

- Director
- Deputy Director - Program Management & Policy
- Deputy Director - Operations
- Chief of Staff
- Special Assistant

The Director may designate up to three additional employees on call to assist in carrying out executive responsibilities related to the shutdown of operations.

### **Regional Level**

Regional Directors must be present to provide essential protection and to respond to any inquiries from field stations or the Washington Office. Regional Directors may designate up to three additional employees on call to assist in carrying out work related to the Regional Office.

Regional Assistant Directors for Budget and Administration, and the Regional Human Resource Officer will be on call. Regional Directors are authorized to make an exception to the number of employees engaged in work for emergency situations such as fires and floods.

There may be areas specific to each region that should be included on this list. Regional Directors should submit additional requests for designation of excepted personnel to the Deputy Director for approval.

### **Approximate Number of Employees Required**

	<b>Excepted</b>	<b>Excepted (plus on Call)</b>
Director's Office	5	5
<i>Assistant Director--Budget, Planning &amp; Human Capital</i>	0	1
Bureau Human Resources	2	3
Budget	3	3
Payroll	0	1
<i>Business Management &amp; Operations</i>	0	1
Financial Management	0	3
Contracting & Facilities Management	38	38
<i>Information &amp; Resource Technology Management</i>	4	5
<i>External Affairs</i>	1	2
NCTC	4	4
<i>Regional Directors' Offices</i>	8	32
Human Resource Officers	0	7
ARDs for Budget & Administration	0	7
Hatcheries (87 Hatcheries)	87	261
Refuges (553 Refuges)	300	900
Full-time Refuge Law Enforcement Officers	79	79
<i>Law Enforcement</i>	205	218
<i>Endangered Species</i>	9	9
 TOTAL	 745	 1,579

### **Carry out Shutdown Operations**

The FWS estimates that it will take a half day to shutdown most operations. We will need another 100 employees from across FWS that will stay up to 8 hours, in some cases more, to assure property is secured and that employees are informed about who is excepted and who is being furloughed.

### **Exclusions**

Employees whose salaries are paid from permanent appropriations (receipts) and unobligated balances brought forward in no-year and multi-year accounts will continue to carry out their normal functions. A listing of these accounts is attached.

The attached instructions for shutdown describe the Service's plan for orderly shutdown of activities in the event of a lapse of appropriations.

## Instructions for Shutdown

- All employees should report for work. Supervisors will inform staff either orally or in writing that the only activities that they may engage in are those associated with protection of life and property or an orderly shutdown of agency operations. Specific activities will be identified by supervisors and shared with employees. Such functions may include, but are not limited to:
  - Notify parties involved in agency matters of the cessation of normal business;
  - Cancel meetings, hearings, and other previously arranged business;
  - Document the status of cases and projects so that they can be resumed, transferred, or otherwise appropriately handled when the funding situation is determined;
  - Prepare files for permanent storage, transfer to related agencies, or other disposition;
  - Perform those tasks necessary to protect confidential information, including listing all papers to be accorded confidential status;
  - Take measures to secure files.
- Any employee on travel status should be contacted and told to return to the duty station immediately.
- Regional Directors/Assistant Directors will identify those employees within their organization who will be (1) retained to carry out essential functions needed to protect life and property and (2) those employees who will be furloughed. For all employees designated as excepted, list the name, grade, job title, division, and branch and the function that each employee will perform. Those lists will be transmitted to the Deputy Director by close of business.
- Furlough notices will be delivered to all employees who have not been determined to be necessary to protect life and property.
- Each employee's furlough notice will be documented, preferably by the employee's signature, indicating date and time of delivery.

- Home telephone numbers of all employees supervised will be obtained to provide for immediate notification when recalled.
- As each employee's shutdown function is completed, he/she will exit the Government facility.
- Supervisors will ensure that appliances have been disconnected, equipment/lights have been turned off, and the physical area has been secured for those work sites which do not continue to carry out essential activities.



## **Exclusions from Shutdown**

FWS has 1252 FTE who fit into the category “employees who compensation is financed by other than annual appropriations”.

### Permanent accounts (not subject to Congressional appropriation each year)

In these accounts, carryover balances and new receipts would be available.

- Federal Aid in Wildlife Restoration (all subactivities)
- Sport Fish Restoration (all subactivities)
- North American Wetlands Conservation Fund (all subactivities from 5820-5864)
- Natural Resource Damage Assessment Fund - Receipts/Interest (transfer from Office of the Secretary; all subactivities from 9810-9831)
- Resource Management (no-year account: all receipts)
- National Wildlife Refuge Fund
  - Expenses for Sales
  - Payments to Counties (permanent only, with receipts)
  - Alaska National Interest Lands Conservation Act
- Migratory Bird Conservation Account
- Proceeds from Sales
- Contributed Funds
- Multinational Species Conservation Fund (donation only)
- Operations and Maintenance of Quarters
- Recreational Fee Demonstration Program
- Lahontan Valley and Pyramid Lake Fish and Wildlife Fund

### Reimbursable authority

- Resource Management (subactivities from 1900-1999)
- Construction and Anadromous Fish
  - 2690 Drought
- Natural Resource Damage Assessment
  - 8912 Damage Assessment
- Land Acquisition (subactivities from 8470-8479)
- PRFPs – Oil Spills

Reimbursable work may continue only if the ordering agency has funds available during the shutdown, and the work is funded exclusively by the ordering agency not funded by annual appropriations.